

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1305 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 funeral and cemetery expenses and to make an appropriation.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 12-14-17-2, AS AMENDED BY P.L.9-2006,
- 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2007]: Sec. 2. (a) This section applies upon the death of either
- 9 of the following:
- 10 (1) A recipient who is receiving supplemental assistance.
- 11 (2) An aged, blind, or disabled person who at the time of death
- 12 was certified as eligible to receive medical assistance under
- 13 Medicaid.
- 14 (b) Except as provided in subsection (c), the division shall pay ~~six~~
- 15 **eight** hundred dollars (~~\$600~~) (**\$800**) for the funeral director's expenses
- 16 of the decedent if the following conditions exist:
- 17 (1) The estate of the deceased is insufficient to pay the funeral
- 18 director's expenses.
- 19 (2) The individual legally responsible for the burial of the
- 20 deceased is unable to pay the funeral director's expenses.
- 21 (c) If the division determines that the estate of the deceased is
- 22 sufficient to pay all or part of the funeral director's expenses, the
- 23 division:
- 24 (1) shall pay ~~six~~ **eight** hundred dollars (~~\$600~~) (**\$800**) for expenses

1 that the funeral director has incurred; and

2 (2) may recover the amount paid by the division under this section  
3 as a preferred claim from the estate of the deceased.

4 SECTION 2. IC 12-14-17-3, AS AMENDED BY P.L.9-2006,  
5 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2007]: Sec. 3. (a) Except as provided in subsection (b), in  
7 addition to money paid by the division under section 2 of this chapter  
8 and even if the deceased or person legally responsible for the deceased  
9 possesses a burial lot, the division shall pay ~~four~~ **six** hundred dollars  
10 ~~(\$400)~~ **(\$600)** for the cemetery's expenses for the deceased to cover the  
11 following:

12 (1) The provision of burial rights if necessary.

13 (2) The opening and closing of a burial plot and provision of an  
14 outer container.

15 (3) The service required by the cemetery authorities.

16 (b) If the division determines that the estate of the deceased is  
17 sufficient to pay all or part of the cemetery's expenses, the division:

18 (1) shall pay ~~four~~ **six** hundred dollars ~~(\$400)~~ **(\$600)** for expenses  
19 that the cemetery has incurred; and

20 (2) may recover the amount paid by the division under this section  
21 as a preferred claim from the estate of the deceased.".

22 Renumber all SECTIONS consecutively.

(Reference is to HB 1305 as printed February 14, 2007.)

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Representative Elrod